



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 6826
Lasse LEIRFALL : Docket No.00035/101687/AF/JE
Serial No. 09/403,090 : Group Art Unit 2877
Filed December 10, 1999 : Examiner Tu T. Nguyen

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C. Stealy
5-22-02

MONITORING DUST DEPOSITION

RESPONSE

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Assistant Commissioner for Patents,
Washington, D.C.

Sir:

In response to the Restriction Requirement of March 14, 2002, Applicant hereby elects Species 1 in which an optical measurement device is used for measuring the amount of dust on a surface. Note that claims 1-5 and 12-13 read on the elected species.

Further, on page 2 of the Office Action, the Examiner states that claim 1 "is anticipated by or obvious over U.S. Patent No. 4,402,607." Applicants disagree with this statement because U.S. 4,402,607 clearly refers to an industrial situation (manufacture of microelectronic circuits by photolithography) and is not directly applicable to a long-term consumer appliance situation. In particular, U.S. 4,402,607 is not used for monitoring a contaminated, dirty or inflammable condition in an electrical consumer appliance. Note, in the PCT application, the Examiner realized that all of the cited dust monitors were industrial dust monitors, which are not suitable for monitoring dangerous and slow dust build-up in an electric consumer appliance. Therefore, the application of the dust monitor in the electrical consumer appliance was considered both novel and inventive.

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Having made the required election, a full examination on the merits of the elected species is requested.

Respectfully submitted,

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